

NOTICE

CHILD SUPPORT GUIDELINES QUADRENNIAL REVIEW – AMENDMENTS TO COURT RULES APPENDIX IX-A

The Supreme Court, as part of the 2022 Omnibus Rule Amendment Order dated August 5, 2022, amended paragraphs 12 and 26 of Rules Appendix IX-A ("Considerations in the Use of Child Support Guidelines"), with those amendments effective September 1, 2022. The amendments are the result of the most recent Quadrennial Review of New Jersey's child support guidelines, which concluded on December 31, 2021. See 42 U.S.C. §667, 45 C.F.R. §302.56 and 45 C.F.R. §303.4 regarding the quadrennial review requirement. Paragraph 12 also was amended to comply with the federal requirement to implement the Flexibility, Efficiency and Modernization in Child Support Enforcement Programs Final Rule (Final Rule). See 81 Fed. Reg. 93492 (Dec. 20, 2016).

The specific amendments to Paragraph 12, "Imputing Income to Parent," include the following:

1. The imputation of income to establish or modify child support was clarified to include factors to consider when a parent is voluntarily underemployed or voluntarily unemployed.
2. In accordance with 45 C.F.R. §302.56, incarceration may not be treated as voluntary unemployment in establishing or modifying support orders.
3. Additional guidance was provided to assist the court in imputing income when a parent's income information is unavailable. This includes prioritizing income information when imputing income and obtaining information from the other parent.
4. Forty hours was deleted as the *de facto* number of hours for full-time employment so as to accommodate individual circumstances.
5. The court is to memorialize the factual basis when imputing income, in writing or on the record, using appropriate statutes,

procedures, case law, and legal processes in establishing and modifying support obligations.

Paragraph 26, "Health Insurance for Children," was amended to conform to 45 C.F.R. § 303.31(a)(2), which clarifies that parents may provide either public or private health insurance for their children.

The next quadrennial review is underway, having begun on January 1, 2022. It will conclude on December 31, 2025.

Questions regarding this notice or about the Quadrennial Review may be directed to Joanne M. Dietrich, Assistant Director for Family Practice, at Joanne.Dietrich@njcourts.gov or telephone at 609-815-2900 ext. 55350 or to Brenda Beacham, Director of Probation Services at Brenda.Beacham@njcourts.gov or 609-815-3810, ext. 16243.



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